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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/847,145	05/02/2001	Wolfgang Theimer	473-010326-US(PAR)	6585
2512	7590	02/23/2007	EXAMINER	
PERMAN & GREEN 425 POST ROAD FAIRFIELD, CT 06824			NGUYEN, LE V	
			ART UNIT	PAPER NUMBER
			2174	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/23/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 09/847,145	Applicant(s) THEIMER, WOLFGANG	
	Examiner Le Nguyen	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12/6/06.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This communication is responsive to an amendment filed 12/6/06.
2. Claims 1-22 are pending in this application. Claims 1, 10, 12, 14 and 22 are independent claims. Claims 1, 10, 12 and 14 have been amended; and, claim 22 has been added. This action is made Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 1-8 and 10-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bush et al. ("Bush"), in view of Houser et al. ("Houser").

As per claim 1, Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising a plurality of application devices comprising identifying control information received from a user independently of a permanently predetermined menu structure (col. 5, lines 23-32), an instruction of the control information input is interpreted in accordance with available ones of the application devices by checking whether the control information is known, unambiguous and complete for one of the application devices and an application device is controlled in accordance with the result of the interpretation (col. 5, lines 23-32; col. 22, lines 42-47; *the instruction "turn to channel 123" are determined for the keyword "Sports" in the keyword data bank and interpreted in accordance with the TV device by checking whether 'Sports' is known, unambiguous and complete for the TV device*). Bush does

not explicitly disclose that in case of ambiguity of the control information, the user is signaled to enter further control information relating to a selection of possible applications to which the ambiguous control information can be applied until the totality of inputted control information is unambiguous. Houser teaches that in case of ambiguity of the control information, the user is signaled to enter further control information relating to a selection of possible applications to which the ambiguous control information can be applied until the totality of inputted control information is unambiguous (col. 19, lines 34-46). It would have been obvious to an artisan at the time of the invention to incorporate the method of Houser with the method of Bush in order to improve the recognition rate of the commands spoken by the user.

As per claim 2, the modified Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising at least one application device characterized in that the control information specified by a user is signaled back to the user as announcement or indication for the purpose of acknowledgement (Bush: col. 5, lines 30-32; col. 22, lines 42-47; *upon turning to channel 123, user's selection is confirmed*).

As per claim 3, the modified Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising control information input that allows a number of possibilities for its interpretation (Bush: col. 22, lines 42-47). Furthermore, the modified Bush teaches a method for controlling a system, especially an electrical and/or electronic system, wherein a number of possibilities for interpreting an input is signaled back as a selection list (Houser: col. 19, lines 44-46; *when there are*

a number of possibilities for interpreting input "GOTO CHANNEL SIXTEEN", a list of two possible interpretations is signaled to the user).

As per claim 4, the modified Bush teaches a method for controlling a system, especially an electrical and/or electronic system, characterized in that control information input which cannot be reliably interpreted is correspondingly marked in the return signaling (Bush: col.22, lines 42-46; *control information input which cannot be reliably interpreted is consequently/correspondingly defined and evident or apparent/marked in the return signaling*).

As per claim 5, the modified Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising at least one application device characterized in that a check is made whether the control information is complete to execute a requested action (Bush: col. 22, lines 42-47). Furthermore, the modified teaches a method for controlling a system, especially an electrical and/or electronic system, comprising requesting the user to complete the control information if the control information is found to be incomplete during a check to execute a requested action (Houser: col. 19, lines 34-46).

As per claim 6, the modified Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising at least one application device characterized in that the control information input as keyword or keywords is compared with stored keywords for the purpose of interpretation (Bush: col. 5, lines 23-32; col. 22, lines 42-47).

As per claim 7, the modified Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising at least one application device characterized in that the available application devices, control instructions and control parameters are stored as keywords as control information (Bush: col. 5, lines 23-32; *i.e. control destination parameters such as "3" and control information item input such as "Sport", wherein control information can be input in the following form: "TV" "Sport")*).

As per claim 8, the modified Bush teaches a method for controlling a system, especially an electrical and/or electronic system, characterized in that control parameters are stored as lists (Bush: fig. 2a; *e.g. memory, RAM; memory is an array that is a list and RAM is a kind of memory array that is a list*).

As per claim 10, although Bush teaches a method for controlling a system having a plurality of application devices, the method comprising the steps of identifying received control information being inputted by a user of the system independently of a permanently predetermined menu structure (col. 5, lines 23-32), enabling the user to enter an instruction of the control information for one of the application devices and interpreting an instruction of the control information in accordance with available ones of the application devices by checking whether the control information is known, unambiguous and complete for one of the application devices and controlling the one application device in accordance with the result of the interpretation (col. 5, lines 30-32; col. 22, lines 42-47; *the instruction "turn to channel 123" are determined for the keyword 'Sports' in the keyword data bank and interpreted in accordance with the TV device by*

checking whether "Sports" is known, unambiguous and complete for the TV device),
Bush does not explicitly disclose that in case of ambiguity of the control information, the user is signaled to enter further control information relating to a selection of possible applications to which ambiguous control information can be applied until the totality of inputted control information is unambiguous wherein the signaling to the user is independent of a permanently predetermined menu structure (col. 19, lines 34-46). Houser teaches that in case of ambiguity of the control information, the user is signaled to enter further control information relating to a selection of possible applications to which ambiguous control information can be applied until the totality of inputted control information is unambiguous wherein the signaling to the user is independent of a permanently predetermined menu structure (col. 19, lines 34-46; *signaling to the user to make a decision about a lack of knowledge or ambiguity or incompleteness of the control information, the signaling enables/allows the user to enter a response to make sure that the control information is known, unambiguous and complete*). It would have been obvious to an artisan at the time of the invention to incorporate the method of Houser with the method of Bush in order to improve the recognition rate of the commands spoken by the user.

As per claim 11, the modified Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising checking whether a control information input is unknown, ambiguous or incomplete for one of the application devices (Bush: col. 5, lines 30-32; col. 22, lines 42-47). Furthermore, the modified Bush teaches a method for controlling a system, especially an electrical and/or electronic

system, wherein further information is requested in response to the control information being unknown, ambiguous or incomplete (Houser: col. 19, lines 34-46).

Claims 12 and 14 are individually similar in scope to claim 1 and are therefore rejected under similar rationale.

Claims 13 and 21 are individually similar in scope to claim 11 and are therefore rejected under similar rationale.

Claim 15 is similar in scope to claim 2 and is therefore rejected under similar rationale.

Claim 16 is similar in scope to claim 3 and is therefore rejected under similar rationale.

Claim 17 is similar in scope to claim 4 and is therefore rejected under similar rationale.

Claim 18 is similar in scope to claim 5 and is therefore rejected under similar rationale.

Claim 19 is similar in scope to claim 6 and is therefore rejected under similar rationale.

Claim 20 is similar in scope to claim 7 and is therefore rejected under similar rationale.

As per claim 22, Bush teaches a method for controlling a system, especially an electrical and/or electronic system comprising a plurality of application devices, the method comprising: identifying received control information being inputted by a user of the system (col. 5, lines 23-32); interpreting the control information in accordance with

available ones of the application devices to determine if the control information is a valid input for one or more of the application devices, the interpreting including a determining of whether the control information is known, unambiguous and complete for one of the application devices and controlling said one application device in accordance with the result of the interpretation upon a determination that the control information is known, unambiguous and complete for one of the application devices (col. 5, lines 30-32; col. 22, lines 42-47). Bush does not explicitly disclose signaling the user to enter further data for resolving an unknown control information, an ambiguous control information, and/or an incomplete control information to control said one application device. Houser teaches signaling the user to enter further data for resolving an unknown control information, an ambiguous control information, and/or an incomplete control information to control said one application device upon a determination that the control information is unknown, or ambiguous with respect to a plurality of said application devices and/or with respect to a plurality of functions within one of said application devices, or incomplete for said one application device (col. 19, lines 34-46). It would have been obvious to an artisan at the time of the invention to incorporate the method of Houser with the method of Bush in order to improve the recognition rate of the commands spoken by the user.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bush et al. ("Bush") in view of Houser et al. ("Houser") as applied to claim 7, and further in view of Osawa.

As per claim 9, although Bush teaches a method for controlling a system, especially an electrical and/or electronic system, comprising storing control instructions

for the application devices affected and the control parameters needed in each case to execute the instructions (fig. 2a *and respective portions of the specification*; col. 5, lines 23-32), Bush does not explicitly disclose using data records. Osawa teaches a method for controlling a system, especially an electrical and/or electronic system, comprising using data records (fig. 4; page 9, lines 11-14; page 10, lines 17-22; *depicted is a table containing multiple data fields wherein each row in the table constitutes a data record, i.e. each row contain more than one data field and different rows contain similar data, therefore, each row is called a data record*). It would have been obvious to an artisan at the time of the invention to incorporate the method of Osawa with the method of Bush in order to provide users with data organizational capabilities.

Bush and Osawa still do not explicitly disclose the control instruction being stored together with dummy codes for the applications devices affected. Official Notice is taken that using a dummy to reserve space is well known in the art. Therefore, it would have been obvious to an artisan at the time of the invention to include the use of a dummy to the method of Bush and Osawa so that space may be reserved until the intended item is available.

Response to Arguments

6. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection.

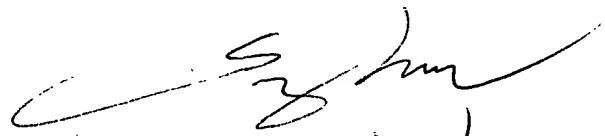
Inquires

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is (571) 272-4068. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

LVN
Patent Examiner
February 13, 2007


sy LUU
PRIMARY EXAMINER